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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/588,293	06/07/2000	Lewis Dean Dodrill	95-415	9149
23164	7590	09/02/2004	EXAMINER NAJJAR, SALEH	
LEON R TURKEVICH 2000 M STREET NW 7TH FLOOR WASHINGTON, DC 200363307			ART UNIT 2157	

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/588,293	DODRILL ET AL.	
	Examiner	Art Unit	
	Saleh Najjar	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-14, 18-27, 31-45, 49-59 and 62-64 is/are rejected.
- 7) ☒ Claim(s) 15-17, 28-30, 46-48, 60 and 61 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. This action is responsive to the communication filed on June 23, 2004. Claims 1-64 are pending. Claims 1-64 represent method, system and program directed toward a unified Messaging system using web based application server for management of messages using standardized servers.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1, 13-14, 18, 20-23, 31-32, 44-45, 51-54, and 63-64 are rejected under 35 U.S.C. 102(e) as being anticipated by Gifford et al., U.S. Patent No. 6,5549,612.

Gifford teaches the invention as claimed including a unified communication services using an active interface for controlling message services (see abstract). As to claim 1, Gifford teaches a method in an application server for executing a voice messaging application, the method comprising:

receiving a first HTTP request from a browser for execution of prescribed voice messaging application operation for a subscriber (see figs. 2-4; col. 6, lines 60-65, Gifford discloses that a browser is used to listen or view messages);

accessing attribute information for the subscriber from an Internet Protocol (IP) based database server configured for storing subscriber attributes (see col. 11, lines 65-67; col. 12, lines 1-10, Gifford discloses retrieving and accessing subscriber profile information);

accessing an IP-based messaging server for subscriber messaging information based on the accessed attribute information each stored message on the IP-based messaging server being stored within a corresponding e-mail message as a URL encoded string with the corresponding header information

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(see col.14, lines 54-67; col. 15, lines 1-25, Gifford discloses that encoded URL's are used to represent stored messages, and that based on the user profile, the system gathers information about the messages for which notification is being generated); and

generating an HTML page, for execution of the prescribed messaging application operation and having media content and control tags, based on the first HTTP request and the subscriber messaging information (see col. 15, lines 15-25, Gifford teaches that the voice application services page presented to the subscriber is formatted according to HTML, WML, or XML based on the subscriber capabilities).

wherein the prescribed voice messaging operation specifies one of: (1) requesting storage of a first message, having been generated according to a corresponding media type having a corresponding Multipurpose Internet Media Extension (MIME) type, in the IP-based messaging server, and 2) presenting in the HTML page a second message, having been stored in the IP based messaging server, according to a corresponding media type with the corresponding MIME type, the method further comprising:

converting the corresponding message associated with the prescribed voice messaging operation between the corresponding media type and a corresponding e-mail message, having a header specifying the corresponding MIME type and having the corresponding URL encoded string as an attachment, for transfer of the corresponding message between the browser and the IP-based messaging server (see col. 9, lines 40-50; col. 15, line 10, Gifford discloses that manipulation of URL encoded strings control formatting, receipt and transmission of stored messages).

As to claim 13, Gifford teaches the method of claim 1, wherein the step of accessing the IP-based messaging server includes determining a presence of a stored message on the IP-based messaging server for the subscriber based on the subscriber messaging information, the generating step including selectively inserting one of a first prompt file specifying no new messages and a second

prompt file specifying the determined presence of the stored message, based on the subscriber messaging information (see col. 14, lines 15-65, Gifford discloses that based on the user profile information, notification about messages are generated).

As to claim 14, Gifford teaches the method of claim 13, wherein the step of accessing the IP-based messaging server further includes identifying, for each stored message, a corresponding message type based on corresponding header information specifying a Multipurpose Internet Media Extension (MIME) type, the second prompt file configured for specifying the corresponding message type for each stored message (see col. 14, lines 15-65, Gifford discloses that information about the message type are presented to the user).

As to claim 18, Gifford teaches the method of claim 14, the method further comprising:

converting selected header information into an audio file based on determining the MIME type is incompatible with determined capabilities of the browser, the generating step including inserting the audio file into the HTML page for playback by the browser (see col. 13-15, Gifford discloses that based on the browser configurations and user profile, the message header can be converted to an audio file).

As to claim 20, Gifford teaches the method of claim 1, further comprising:

receiving a second HTTP request for storage for the subscriber of a message having a prescribed messaging format; and outputting to the IP-based messaging server an instruction for storage of a standard-format message, containing the message and header information specifying the prescribed messaging format, in a directory specified for the subscriber (see col. 6; col. 8; col. 15).

Claims 21-23, 31-32, 44-45, 51-54, and 63-64 do not teach or define any new limitations above claims 1, 13-14, 18, 20 and therefore are rejected for similar reasons.

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-6, 19, 33-37, and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford.

Gifford teaches the invention substantially as claimed including a unified communication services using an active interface for controlling message services (see abstract).

As to claim 2, Gifford teaches the method of claim 1, wherein the receiving step includes recovering a browser configuration, and call parameters (see col. 6, lines 45- col. 7, line 10; col. 11-12, Gifford discloses that the configuration of the browser is determined by the messaging system).

Gifford does not explicitly teach the limitation of recovering within the HTTP request a browser configuration.

However, "Official Notice" is taken that the concept and advantages of recovering within the HTTP request a browser configuration is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford by specifying the browser configuration within the HTTP request so that up-to-date determination of current browser configuration is realized.

As to claim 3, Gifford teaches the method of claim 2, wherein the recovering step includes identifying the browser configuration as one of a computer browser configuration configured for parsing a prescribed group of media tags and presenting a prescribed group of media types, and a lightweight browser configuration configured for parsing a prescribed portion of the prescribed group of media tags (see fig. 4; col. 6-7, Gifford discloses that a user

may access the messaging system using a normal web browser or a digital assistant).

As to claim 4, Gifford teaches the method of claim 3, wherein the generating step includes generating the HTML page by selectively supplying media tag types based on the identified browser configuration (see col. 6, lines 40-65).

As to claim 5, Gifford teaches the method of claim 2, wherein the call parameters include a called party identifier, the accessing step including retrieving the attribute information, specifying at least one of subscriber registration status and subscriber messaging preferences, based on the called party identifier (see col. 9-10).

As to claim 6, Gifford teaches the method of claim 5, wherein the call parameters include a calling party identifier the accessing step further including retrieving second subscriber attribute information based on the calling party identifier (see col. 9-12).

As to claim 19, Gifford teaches the method of claim 18, wherein the converting step includes converting the selected header information based on determining the MIME type specifies an image document and the determined capabilities include audio playback (see col. 8-10).

Gifford does not explicitly teach the claimed limitations that the determined capabilities to not include display of images. Gifford does teach that based on the browser type and user preferences, display of images and text is omitted and play back of audio is performed (see col. 6, lines 45-65; col. 8, lines 1-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford by specifying audio preference as determining that capabilities do not include display of images since the same functionality of audio playback preference is achieved.

Claims 33-37, and 49-50 do not teach or define any new limitations above claims 2-6, 19 and therefore are rejected for similar reasons.

6. Claims 7-8, and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford in view of Scheussler et al., U.S. Patent No. 6,366,950.

Gifford teaches the invention substantially as claimed including a unified communication services using an active interface for controlling message services (see abstract).

As to claims 7-8, Gifford teaches the method of claim 5.

Gifford fails to teach the limitation wherein the accessing step includes accessing the IP-based database server according to LDAP protocol.

However, accessing a database server according to LDAP protocol is old and well known in the art. For example, Scheussler teaches a system and method for verifying user's identity in a network using email communication (see abstract). Scheussler teaches accessing the IP-based database server according to LDAP protocol (see col. 5-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford by implementing LDAP protocol to access a database server. One would be motivated to do so to allow for simple protocol for updating and searching directories running over TCP/IP.

Claims 38-39 do not teach or define any new limitations above claims 7-8 and therefore are rejected for similar reasons.

7. Claims 9-12, 25-26, and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford in view of Bettis, U.S. Patent No. 6,421,708.

Gifford teaches the invention substantially as claimed including a unified communication services using an active interface for controlling message services (see abstract).

As to claims 9-12, Gifford teaches the method of claim 1, wherein the step of accessing the IP-based messaging server includes selectively obtaining from the IP-based messaging server at least one of a subscriber name (see col. 6-15).

Gifford fails to teach the limitation of obtaining a subscriber greeting as a subscriber prompt based on a subscriber identifier obtained from the accessed

attribute information and converting the subscriber prompt from the corresponding URL encoded string into a media file having at least one prescribed media type wherein the converting step includes converting the subscriber prompt into a Multipurpose Internet Media Extension (MIME) type.wav file playable by a browser and generating an HTML page including inserting a first media tag including the .wav file and a second media tag configured for controlling playing of the .wav file..

However, Bettis teaches an Internet based access of voice mail (see abstract). Bettis teaches obtaining a subscriber greeting as a subscriber prompt based on a subscriber identifier obtained from the accessed attribute information (see col. 5, lines 10-20, Bettis discloses that the user profile includes items such as greeting a caller will hear when reaching the subscriber).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford in view of Bettis so that a greeting prompt is associated with the subscriber. One would be motivated to do so to inform a calling user of a particular notification.

Claims 25-26, 40-43 do not teach or define any new limitations above claims 9-12 and therefore are rejected for similar reasons.

8. Claims 24, 27, 55, 58-59, and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford in view of Scheussler et al., U.S. Patent No. 6,366,950 further in view of McCormick et al., U.S. Patent No. 6,421,709.

Gifford teaches the invention substantially as claimed including a unified communication services using an active interface for controlling message services (see abstract).

As to claim 24, Gifford teaches the system of claim 23 above.

Gifford fails to teach wherein the application runtime environment accesses the IP based database server according to LDAP protocol.

However, accessing a database server according to LDAP protocol is old and well known in the art. For example, Scheussler teaches a system and

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method for verifying user's identity in a network using email communication (see abstract). Scheussler teaches accessing the IP-based database server according to LDAP protocol (see col. 5-6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford by implementing LDAP protocol to access a database server. One would be motivated to do so to allow for simple protocol for updating and searching directories running over TCP/IP.

Gifford fails to teach accessing the IP-based messaging server using IMAP protocol.

However, McCormick teaches a method and system for filtering junk email (see abstract). McCormick teaches accessing an IP based server using IMAP protocol (see col. 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford by including the IMP protocol as taught by McCormick. One would be motivated to do so since IMAP protocol is a popular protocol used on the Internet that allows users to directly retrieve messages from their mail boxes.

Claims 27, 55, 58-59, and 62 do not teach or define any new limitations above the above rejected claims and therefore are rejected for similar reasons.

9. Claims 56-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gifford in view of Scheussler et al., in view of McCormick et al., further in view of Bettis.

Gifford teaches the invention substantially as claimed including a unified communication services using an active interface for controlling message services (see abstract).

As to claim 56-57, Gifford fails to teach the limitation of obtaining a subscriber greeting as a subscriber prompt based on a subscriber identifier obtained from the accessed attribute information and converting the subscriber prompt from the corresponding URL encoded string into a media file having at

least one prescribed media type wherein the converting step includes converting the subscriber prompt into a Multipurpose Internet Media Extension (MIME) type .wav file playable by a browser and generating an HTML page including inserting a first media tag including the .wav file and a second media tag configured for controlling playing of the .wav file..

However, Bettis teaches an Internet based access of voice mail (see abstract). Bettis teaches obtaining a subscriber greeting as a subscriber prompt based on a subscriber identifier obtained from the accessed attribute information (see col. 5, lines 10-20, Bettis discloses that the user profile includes items such as greeting a caller will hear when reaching the subscriber).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Gifford in view of Bettis so that a greeting prompt is associated with the subscriber. One would be motivated to do so to inform a calling user of a particular notification.

10. Claims 15-17, 28-30, 46-48, and 60-61 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art of record fails to teach or define neither singly nor in combination the claimed limitation of converting the URL encoded string into a media file having a prescribed media type as in claims 15-17, 28-30, 46-48, and 60-61.

11. Applicant's arguments filed January 16, 2004 have been fully considered but they are not persuasive.

In the remarks, the applicant argues in substance that the Gifford reference does not teach the converting step where and that the UR links of

Gifford merely references a CGI program that returns a dynamically constructed image which contains current information.

In response, Gifford discloses that manipulation of URL encoded strings control formatting, receipt and transmission of stored messages (see col. 9, lines 40-50; col. 15, line 10).

The applicant also argues that the claimed URL encoded string represents the message (i.e., contains actual data), as opposed to the conventional use of URLs to merely reference a resource. That there is no teaching or suggestion in Gifford to use a URL encoded string to represent the message as claimed.

In response, any URL encoded string that references the message also represents the message. If the applicant meant to include language that indicates that the message is encoded into the URL string, this is not recited in the current claim language.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.



Saleh Najjar

Primary Examiner / Art Unit 2157